



**NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 347**

AMENDMENT NO. \_\_\_\_\_  
(to be filled in by  
Principal Clerk)

H347-ASTxfr-67 [v.11]

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Amends Title [NO]  
Fourth Edition

Date \_\_\_\_\_, 2023

Senator \_\_\_\_\_

1 moves to amend the bill on page 2, lines 30-33, by rewriting those lines to read:

2  
3 "(12) Parimutuel wager. – As defined in G.S. 18C-1001.";

4  
5 and on page 3, line 31, by rewriting the line to read:

6 "providers, integrity monitoring providers, entities engaged in facilitating or enabling sports  
7 wagering activities on behalf of, or in affiliation with, interactive sports wagering operators in  
8 places of public accommodation, and other providers of sports";

9  
10 and on page 5, line 14, by deleting "if" and substituting "when";

11  
12 and on page 5, lines 40-41, by rewriting those lines to read:

13 "the licensing fee shall be refunded, minus five percent (5%) of the license fee which shall be  
14 used by the Commission to offset associated expenses in reviewing the application.";

15  
16 and on page 6, lines 14-15, by inserting the following between those lines:

17 "(c1) Information provided to the Commission under subdivisions (8) through (10) of  
18 subsection (c) of this section are informational in nature and intended to provide additional  
19 insight regarding applicants who intend to operate a place of public accommodation.";

20  
21 and on page 7, line 15, by inserting "except for G.S. 18C-916(b)," after "law,";

22  
23 and on page 7, line 31, by deleting "Commission." and substituting "Commission and payment  
24 of the licensing fee in accordance with this section.";

25  
26 and on page 7, lines 46-47, by inserting the following between those lines:

27 "(m) The holder of an interactive sports wagering operator license shall be deemed to also  
28 hold a service provider license and sports wagering supplier license under this Article for services  
29 goods, software, or components provided in-house.

30 (n) If an applicant for an interactive sports wagering license is a sports facility or team  
31 that is a member of a league, association or organization that prevents the sports facility or team  
32 from being subject to the regulatory control of the Commission or from otherwise operating under



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1 an interactive sports wagering license, the sports facility or team may contractually appoint a  
2 designee approved by the Commission for all aspects of Commission oversight and operation.";  
3

4 and on page 8, line 8, by inserting the following at the end of that line:

5 "If the application is denied, the licensing fee shall be refunded, minus five percent (5%) of the  
6 licensing fee which shall be used by the Commission to offset associated expenses in reviewing  
7 the application.";  
8

9 and on page 9, lines 25-27, by rewriting those lines to read:

10 "(a) The Commission may issue a sports wagering supplier license to a sports wagering  
11 supplier.";  
12

13 and on page 9, line 13, by rewriting that line to read:

14 "(h) Notwithstanding Chapter 132 of the General Statutes or any other provision of law,  
15 except for G.S. 18C-916(b).";  
16

17 and on page 9, line 36, by inserting the following after "(\$30,000).":

18 "If the application is denied, the licensing fee shall be refunded, minus five percent (5%) of the  
19 licensing fee which shall be used by the Commission to offset associated expenses in reviewing  
20 the application.";  
21

22 and on page 10, line 34, by rewriting that line to read:

23 "(l) Notwithstanding Chapter 132 of the General Statutes or any other provision of law,  
24 except for G.S. 18C-916(b).";  
25

26 and on page 10, line 40, by deleting "Commission." and substituting "Commission and payment  
27 of the licensing fee in accordance with this section.";  
28

29 and on page 11, line 1, by deleting "Article." and substituting "Article or a pattern of  
30 noncompliance with rules or directives promulgated by the Commission.";  
31

32 and on page 11, lines 3-4, by inserting the following between those lines:

33 "(4) The Commission's previous decision to suspend or impose civil penalties on  
34 the licensee.";  
35

36 and on page 11, lines 6-7, by inserting the following between those lines:

37 "(e) The Commission may, in its discretion, require an annual attestation of compliance  
38 from licensees. The Commission shall prescribe the form, method, and deadline of the attestation  
39 of compliance. To the extent a licensee identifies any instance of technical or material  
40 noncompliance in its annual attestation of compliance, it shall also submit a remedial or  
41 mitigation plan for the Commission's consideration.";  
42

43 and on page 11, line 9, by inserting "and Article 10 of this Chapter" after "Article";

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1  
2 and on page 11, line 38, by deleting "individual" and substituting "registered player";

3  
4 and on page 12, lines 4-10, by rewriting those lines to read:

5 "(e) In advertising and marketing its sports wagering platform and related commercial  
6 offerings, the interactive sports wagering operator, or those acting on its behalf, shall ensure that  
7 advertisements and marketing messages and materials meet all of the following requirements:

8 (1) It does not target persons under the age of 21.

9 (2) It discloses the identity of the interactive sports wagering operator.

10 (3) It provides information about or links to resources related to gambling  
11 addiction and prevention.

12 (4) It is not misleading to a reasonable person.

13 (5) It satisfies the rules and requirements promulgated by the Commission."  
14

15 and on page 12, lines 23-24, by inserting the following between those lines:

16 "(i) An interactive sports wagering operator may not, as a condition of use of its sports  
17 wagering platform, require a registered player to waive any right, forum, or procedure otherwise  
18 available to the registered player under State or federal law. All agreements between an  
19 interactive sports wagering operator and a registered player shall be governed by State law. The  
20 State and federal courts located in North Carolina shall serve as the exclusive venue for all such  
21 disputes."  
22

23 and on page 12, lines 37-38, by rewriting those lines to read:

24 "(3) Be funded with cash or cash equivalents."  
25

26 and on page 12, lines 47-48, by inserting the following between those lines:

27 "(9) Meet or exceed minimum requirements identified by the Commission,  
28 including technical requirements related to data privacy, data security, and  
29 sports wagering platform features to support responsible sports wagering."  
30

31 and on page 13, line 31, by inserting "interactive" before "sports wagering operators";

32  
33 and on page 15, line 9, by rewriting that line to read:

34 "(a) If the Commission determines that the holder of a license under this Article has  
35 violated any";  
36

37 and on page 15, lines 14-15, by inserting the following between those lines:

38 "(b) Non-public record documents and materials that applicants and licensees submit to  
39 the Commission shall become public record if such materials are specifically identified by the  
40 Commission as providing a basis for a civil penalty, license suspension, license revocation, or  
41 other formal or informal enforcement action undertaken by the Commission against the  
42 licensee."  
43

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1 and on page 15, line 36, by deleting "Interactive sports wagering operators" and substituting  
2 "Licensees under this Article and Article 10 of this Chapter";

3  
4 and on page 15, line 44, by deleting "the interactive sports wagering operators." and substituting  
5 "licensees under this Article and Article 10 of this Chapter.";

6  
7 and on page 15, line 47, on page 15, and on page 16, lines 3-4, by deleting "the interactive sports  
8 wagering operators" and substituting "licensees under this Article and Article 10 of this Chapter";

9  
10 and on page 15, lines 50-51, by deleting "interactive sports wagering operators" and substituting  
11 "licensees under this Article and Article 10 of this Chapter.";

12  
13 and on page 16, line 7, by deleting "interactive sports wagering operator." and substituting  
14 "licensees under this Article and Article 10 of this Chapter.";

15  
16 and on page 16, lines 7-8, by deleting "An interactive sports wagering operator" and substituting  
17 "Licensees under this Article and Article 10 of this Chapter";

18  
19 and on page 16, line 8, by inserting "or pari-mutuel wagering" after "sports wagering";

20  
21 and on page 16, line 23, by inserting the following at the end of that line:  
22 "Each sports facility may partner with one interactive sports wagering operator to provide places  
23 of public accommodation.";

24  
25 and on page 16, line 44, by inserting the following at the end of that line:  
26 "Such advertisements shall comply with the requirements listed in G.S. 18C-910(e).";

27  
28 and on page 17, lines 3-5, by deleting those lines;

29  
30 and on page 17, lines 31 and 35, by deleting "interactive";

31  
32 and on page 17, line 42, by deleting "act" and substituting "Article";

33  
34 and on page 20, lines 44-45, by deleting "live, simulcast at a simulcast facility, or previously  
35 run," and substituting "live or simulcast,";

36  
37 and on page 20, line 48, by inserting "at a simulcast facility" after "racess";

38  
39 and on page 21, line 30, by inserting the following after "check.":  
40 "In the event an applicant and its key persons have had a completed criminal history record check  
41 in the 12 months prior to the application, the Commission may, in its discretion, accept the results  
42 of that prior criminal history record check upon submission of an affidavit that there has been no  
43 change in criminal history since the prior criminal history record check in this or any other state.";

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1  
2 and on page 21, lines 41-42, by inserting the following between those lines:

3     "(g) A person holding a sports wagering supplier license or its equivalent, on the basis of  
4 comparable licensing requirements issued to that person by a proper authority by another state or  
5 territory of the United States or the District of Columbia if that jurisdiction's requirements for  
6 licensure, certification, or registration are substantially equivalent to or exceed the requirements  
7 of this State, and who, in the opinion of the Commission otherwise meets the requirements of  
8 this Article based upon verified evidence may, upon application, be licensed as a sports wagering  
9 supplier with or without further examination, as determined by the Commission.";

10  
11 and on page 21, line 51, by deleting "they";

12  
13 and on page 22, line 4, by inserting "application fees and" before "annual";

14  
15 and on page 22, line 4, by deleting "section" and substituting "Article";

16  
17 and on page 22, line 31, by inserting "licensee" after "ADW";

18  
19 and on page 22, lines 41-43, by rewriting those lines to read:

20     "(e) This Article does not authorize non-pari-mutuel wagering on the outcome of live,  
21 simulcast, or any other horse races.";

22  
23 and on page 23, lines 16-26, by rewriting those lines to read:

24     "(a) The Commission shall adopt rules governing the conduct of horse racing in this State,  
25 which shall include rules regarding play of wagers on simulcast horse races. In adopting rules,  
26 the Commission shall consult the State Veterinarian regarding safety of horses.

27     (b) When adopting rules, the Commission shall provide guidance on the issuance, denial,  
28 suspension, or revocation of a license provided under this Article, on the operation of advance  
29 deposit account wagering by ADW licensees, and on the requirements for simulcast facilities.";

30  
31 and on page 23, lines 35-36, by inserting the following between those lines:

32     "(11) To specify the authority, compensation, and role of the Director, and to specify  
33 the authority, selection, and role of the other employees of the Commission.  
34 All of the following apply to all employees of the Commission:

- 35     a. No employee of the Commission may have a financial interest in any  
36 lottery potential ~~contractor or contractor~~, lottery ~~contractor, contractor~~  
37 ~~or licensee~~, other than an interest as part of a mutual fund.  
38     b. No employee of the Commission with decision-making authority shall  
39 participate in any decision involving the ~~retailer or retailer~~, potential  
40 ~~contractor, contractor~~, licensee or license applicant with whom the  
41 employee has a financial interest.  
42     c. No employee of the Commission who leaves the employment of the  
43 Commission may represent any licensee, license applicant, lottery

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contractor, potential contractor, or retailer before the Commission for a period of one year following termination of employment with the Commission.

d. A background investigation shall be conducted on each applicant for employment with the Commission.

e. The Commission shall bond all employees with access to lottery funds or revenue or security.

...";

and on page 23, lines 43-48, by rewriting those lines to read:

**"SECTION 4.(b)** G.S. 18C-120(b) reads as rewritten:

(b) The Director shall have the following powers and duties, under the supervision of the Commission:

...

(2) To conduct a background investigation, including a criminal history record check, of applicants for employment with the Commission, licensees and their key persons, lottery contractors, lottery retailers, and lottery potential contractors, which may include a search of the State and National Repositories of Criminal Histories based on the fingerprints of applicants.

...

(11) Exercise authority assigned or delegated by the Commission."

and on page 24, lines 44-45, by inserting the following between those lines:

**"SECTION 4.(g)** G.S. 18C-102 reads as rewritten:

**"§ 18C-102. Purpose and intent.**

The General Assembly declares that the purpose of this Chapter is to establish a State-operated lottery and to provide for the regulation of other sanctioned gaming enterprises in order to generate funds for the public purposes described in this Chapter. ~~Chapter~~ and to support responsible gaming."

**SECTION 4.(h)** G.S. 18C-113(b) reads as rewritten:

"(b) ~~Except as provided in this Article, records~~ Records of the Commission shall be open and available to the public in accordance with Chapter 132 of the General ~~Statutes.~~ Statutes, except as provided in this Article or unless disclosure could be used to potentially (i) provide an unfair advantage to a player, or (ii) impair or adversely impact the security or integrity of the operation of the Lottery, any of its games, or investigations into potentially fraudulent or other activities in violations of any laws, Lottery rules, regulations, and policies."

**SECTION 4.(i)** G.S. 18C-122(c) reads as rewritten:

"(c) The portion of the security audit report containing specific recommendations shall be confidential, shall be presented only to the Director and to the Commission, and shall be exempt from Chapter 132 of the General Statutes. The Commission may hear the report of such an audit, discuss, and take action on any recommendations to address that audit under G.S. 143-318.11(a)(1). The Commission may hear reports on the following matters under G.S. 143-318.11(a)(1), all of which shall be exempt from Chapter 132 of the General Statutes:

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(1) Information regarding any vulnerabilities listed in subsection (a) of this section.

(2) Information that could impair or adversely impact the security of the Lottery or the Commission in carrying out its responsibilities as directed in this Chapter.

(3) Information that could be used to provide an unfair advantage to a player or jeopardize the integrity of any lottery game.

**SECTION 4.(j)** G.S. 18C-161(3) reads as rewritten:

"(3) All other funds credited or appropriated to the Commission from any ~~source~~ source, except as provided in Articles 9 and 10 of this Chapter."

**SECTION 4.(k)** G.S. 18B-1005 reads as rewritten:

**"§ 18B-1005. Conduct on licensed premises.**

(a) Certain Conduct. – It shall be unlawful for a permittee or ~~his~~ the permittee's agent or employee to knowingly allow any of the following kinds of conduct to occur on ~~his~~ the licensed premises:

(1) Any violation of this ~~Chapter~~ Chapter.

(2) Any fighting or other disorderly conduct that can be prevented without undue danger to the permittee, ~~his~~ the permittee's employees or ~~patrons~~ or patrons.

(3) Any violation of the controlled substances, gambling, or prostitution statutes, or any other unlawful acts. For purposes of this subdivision, gambling shall not include wagering exempted by G.S. 4-309.3.

(4) through (6) Repealed by Session Laws 2003-382, s. 1, effective August 1, 2003.

(b) Supervision. – It shall be unlawful for a permittee to fail to superintend in person or through a manager the business for which a permit is issued.";

and on page 26, lines 3-7, by rewriting those lines to read:

"(2) One million dollars (\$1,000,000) annually to North Carolina Amateur Sports to expand opportunities for persons up to age 18 to engage in youth sports, which shall be distributed through a grant program. In making individual grants, North Carolina Amateur Sports shall comply with the following:

a. Awards shall be used to provide for the purchase of youth sports equipment, or to provide for public facility upgrades or improvements which would benefit youth sports.

b. Awards may be given only to applicants who are either local governments or non-profit organizations exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

c. Awards may be given only to applicants who demonstrate that a primary purpose for the funding is to facilitate opportunities for persons up to age 18 to engage in youth sports.

d. The total dollar amount awarded each year to all applicants in any one county may not exceed one percent (1%) of the total funding available on July 1 of that year."

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and on page 26, lines 31-37, by rewriting those lines to read:

- a. Grants not to exceed five thousand dollars (\$5,000) per sporting team or group per county per year requesting grant assistance to travel to in-State or out-of-state sporting events.
- b. Incentive grants not to exceed twenty-five thousand dollars (\$25,000) to attract State, regional, area and national sporting events, tournaments and programs for non-professional sporting participants in programs administered by city, county, and local school administrative units, or appropriate non-profit organizations exempt from taxation under section 501(c)(3) of the Internal Revenue Code as determined by the North Carolina Outdoor Heritage Advisory Council;

and on page 26, lines 43, through page 27, line 1, by rewriting those lines to read:

1. Appalachian State University.
2. East Carolina University.
3. Elizabeth City State University.
4. Fayetteville State University.
5. North Carolina Agricultural & Technical State University.
6. North Carolina Central University.
7. University of North Carolina at Asheville.
8. University of North Carolina at Charlotte.
9. University of North Carolina at Greensboro.
10. University of North Carolina at Pembroke.
11. University of North Carolina at Wilmington.
12. Western Carolina University.
13. Winston-Salem State University.";

and on page 27, lines 4-5, by inserting the following between those lines:

**"SECTION 5.1.** If Senate Bill 22 of the 2023 Regular Session of the General Assembly, or substantially similar legislation, becomes law, then G.S. 105-113.128(4) reads as rewritten:

- "(4) One million dollars (\$1,000,000) annually to the North Carolina Youth Outdoor ~~Heritage Advisory Council~~ Engagement Commission for grants, in the discretion of the ~~Council~~, Commission, as follows:
- a. Grants not to exceed five thousand dollars (\$5,000) per sporting team or group per county per year requesting grant assistance to travel to in-State or out-of-state sporting events.
  - b. Incentive grants not to exceed twenty-five thousand dollars (\$25,000) to attract State, regional, area and national sporting events, tournaments and programs for non-professional sporting participants



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in programs administered by city, county, and local school administrative units, or appropriate 501(c)(3) organizations as determined by the North Carolina Youth Outdoor Heritage Advisory Council Engagement Commission. "";

and on page 27, line 25, by inserting "interactive sports wagering operator" after "completed";

and on page 27, line 30, by deleting "2024." and substituting "2024, however, sports wagering shall not be authorized in the State until a date identified by the Commission, which shall occur as soon as practicable and may be no later than twelve months after the date this act becomes law.";

and on page 27, line 47, by deleting "public places of accommodation" and substituting "places of public accommodation";

and by replacing "parimutuel" with "pari-mutuel" throughout the bill wherever it appears.

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_